

CHAPTER III

LICENSING OF CONDUCTORS OF STAGE CARRIAGES

29. Necessity for conductor's license-

(1) No person shall act as a conductor of a stage carriage unless he hold an effective conductor's license issued to him authorising him to act as such conductor; and no person shall employ or permit any person who is not so licensed to act as a conductor of a stage carriage

(2) A State Government may prescribed the conditions subject to which sub-section (1) shall not apply to a driver of a stage carriage performing the functions of a conductor or to a person employed to act as a conductor for a period not exceeding one month.

30. Grant of conductor's license-

(1) Any person who possesses such minimum educational qualification as may be prescribed by the State Government and is not disqualified under sub-section (1) of section 31 and who is not for the time being disqualified for holding or obtaining a conductor's license may apply to the licensing authority having jurisdiction in the area in which he ordinarily resides or carries on business for the issue to him of a conductor's license.

(2) Every application under sub-section (1) shall be in such form and shall contain such information as may be prescribed.

(3) Every application for a conductor's license shall be accompanied by a medical certificate in such form as may be prescribed, signed by a registered medical practitioner and shall also be accompanied by two clear copies of a recent photograph of the applicant.

- (4) A conductor's license issued under this Chapter shall be in such form and contain such particulars as may be prescribed and shall be effective throughout the State in which it is issued.
- (5) The fee for a conductor's license and for each renewal thereof shall be one-half of that for a driving license.

31. Disqualifications for the grant of conductor's license-

- (1) No person under the age of eighteen years shall hold, or be granted, a conductor's license.
- (2) The licensing authority may refuse to issue a conductor's license-
 - (a) if the applicant does not possess the minimum educational qualification;
 - (b) if the medical certificate produced by the applicant disclosed that he is physically unfit to act as a conductor; and
 - (c) if any previous conductor's license held by the applicant was revoked.

32. Revocation of a conductor's license on grounds of disease or disability-

A conductor's license may at any time be revoked by any licensing authority if that authority has reasonable grounds to believe that the holder of the license is suffering from any disease or disability which is likely to render him permanently unfit to hold such a license and where the authority revoking a conductor's license is not the authority which issued the same, it shall intimate the fact of such revocation to the authority which issued that license.

Provided that before revoking any license, the licensing authority shall give the person holding such license a reasonable opportunity of being heard

33. Orders refusing etc., conductor's licenses and appeals there from-

- (1) Where a licensing authority refuses to issue or renew, or revokes any conductor's license, it shall do so by an

order communicated to the applicant or the holder, as the case may be, giving the reasons in writing for such refusal or revocation.

(2) Any person aggrieved by an order made under sub-section (1) may, within thirty days of the service on him of the order, appeal to the prescribed authority which shall decide the appeals after giving such person and the authority which made the order an opportunity of being heard and the decision of the appellate authority shall be binding on the authority which made the order.

34. Power of licensing authority to disqualify-

(1) If any licensing authority is of opinion that it is necessary to disqualify the holder of a conductor's license for holding or obtaining such a license on account of his previous conduct as a conductor, it may, for reasons to be recorded, make an order disqualifying that person for a specified period, not exceeding one year, for holding or obtaining a conductor's license,

Provided that before disqualifying the holder of a license, the licensing, authority shall give the person holding such license a reasonable opportunity of being heard.

(2) Upon the issue of any such order, the holder of the conductor's license shall forthwith surrender the license to the authority making the order, if the license has not already been surrendered, and the authority shall keep the license, until the disqualification has expired or has been removed.

(3) Where the authority disqualifying the holder of a conductor's license under this section is not the authority which issued the license, it shall intimate the fact of such disqualification to the authority which issued the same.

(4) Any person aggrieved by an order made under sub-section (1) may, within thirty days of the service on him of the order, appeals to the prescribed authority which shall decide the appeals after giving such person and the authority which made the order an opportunity of being heard and the decision of the appellate authority shall be binding on the authority which made the order.

35. Power of Court to disqualify-

(1) Where any person holding a conductor's license is convicted of an offence under this Act, the Court by which such person is convicted may, in addition to imposing any other punishment authorised by law, declare the person so convicted to be disqualified for such period as the Court may specify for holding a conductor's license.

(2) The Court to which an appeal lies from any conviction of an offence under this Act may set aside or vary any order of disqualification made by the Court below, and the Court to which appeals ordinarily lie from such Court, may set a side or vary any order of disqualification made by that Court, notwithstanding that no appeals lies against the conviction in connection with which such order was made.

36. Certain provisions of Chapter II to apply to conductor's license-

The provisions of sub-section (2) of section 6, sections 14, 15 and 23, sub-section (1) of section 24 and section 25 shall, so far as may be, apply in relation to a conductor's license, as they apply in relation to a driving license.

37. Savings-

If any license to act as a conductor of a stage carriage (by whatever name called) has been issued in any State and is effective immediately before the commencement of this Act, it shall continue to be effective, notwithstanding such commencement, for the period for which it would have been effective, if this Act had not been passed, and every such license shall be deemed to be a license issued under this Chapter as if this Chapter had been in force on the date on which that license was granted.

38. Power of State Government to make rules-

(1) A State Government may make rules for the purpose of carrying into effect the provisions of this Chapter.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for-

(a) the appointment,

- (b) the conditions subject to which drivers of stage carriages performing the functions of a conductor and persons temporarily employed to act as conductors may be exempted from the provisions of sub-section (1) of section 29;
- (c) the minimum educational qualifications of conductors; their duties and functions and the conduct of person to whom conductor's licenses are issued;
- (d) the form of application for conductor's licenses or for renewal of such licenses and the particulars it may contain;
- (e) the form in which conductor's licenses may be issued or renewed and the particulars it may contain;
- (f) the issue of duplicate licenses to replace licenses lost, destroyed or mutilated, the replacement of photographs which have become obsolete and the fees to be charged therefor;
- (g) the conduct and hearing of appeals that may be preferred under this Chapter, the fees to be paid in respect of such appeals and the refund of such fees:

Provided that no use fee so fixed shall exceed twenty-five rupees;

- (h) the badges and uniform to be worn by conductor's of state carriages and the fees to be paid in respect of such badges;
- (i) the grant of the certificates referred to in sub-section (3) of section 30 by register medical practitioners and the form of such certificate;
- (j) the conditions subject to which, and the extent to which, a conductor's license issued in another State shall be effective in the State;
- (k) the communication of particulars of conductor's licenses from one authority to other authorities; and

(l) any other matter which is to be, or may be, prescribed.